

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

POLICE - Sri T.Vasudeva Reddy, ACP (Retired) request for stepping up of his pay on par with his junior Sri P.Janardhan Reddy with all consequential benefits – **Rejected** - Orders – Issued.

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**HOME (SER-I) DEPARTMENT**

**G.O. Rt. No.1258**

**Dated:1-8-2011**

Read the following:-

- 1.From the Hon'ble APAT, Hyderabad judgment dated 31.1.2000 in O.A.No.3063/1996
- 2.From the Hon'ble High Court of A.P., Hyderabad interim orders dated 25.2.2002 in W.P. No.3527/2002
- 3.From the Hon'ble High Court of A.P., Hyderabad judgment dated 26.7.2010 in W.P. No.3527/2002
- 4.From Sri T.Vasudeva Reddy (Retired) ACP, representation dated 17.1.2011
- 5.From the Director General of Police, A.P., Hyderabad  
Lr. Rc. No.612/G3/2004, dated 23.5.2011

**oOo**

**ORDER:-**

Sri T.Vasudeva Reddy, ACP (Retired) approached the Hon'ble APAT, Hyderabad in O.A.No.3063/96 praying the Hon'ble Tribunal to direct the respondents to consider his representation to step up his pay with his junior. The Hon'ble Tribunal disposed of the O.A. on 31.1.2000 and the operative portion of the judgment is as follows:

"In the light of the discussion made above and taking into consideration the G.O. Rt. No.2971, dated 14.10.1991 r/w FR 54 (1 (a) and the contents of G.O. Ms.No.118, dated 25.5.1981, the respondents are directed to step up the pay and allowance of the applicant on par with his junior Sri P.Janardhan Reddy with all consequential benefits. The OA is accordingly allowed. The above exercise shall be completed within three months from the date of receipt of a copy of this order".

**2.** Since the above orders of the Hon'ble APAT, Hyderabad is not feasible for acceptance, the Government, based on the proposals of the Director General of Police, A.P., Hyderabad, filed W.P. No.3527/2002 against the orders of the Hon'ble Tribunal. The Hon'ble High Court of A.P., Hyderabad, in its interim orders in the reference 2<sup>nd</sup> read above, has suspended the orders of the Hon'ble APAT.

**3.** The Hon'ble High Court of A.P., Hyderabad has finally disposed off the W.P. in the reference 3<sup>rd</sup> read above, and the operative portion of the judgment is as follows:

" In this background of the matter, it can easily be said that this is not a usual case, where the respondent-applicant has been deprived of his benefits due to the mistake or the omission committed by the authorities. However, it is also not proper to restrain the respondent applicant from claiming his rights as to the stepping of the pay and allowances on par with his juniors. In these peculiar circumstances of the case, it is a fit case wherein a direction can be issued to the writ petitioners-authorities to consider the case of the respondent-applicant for stepping up of his pay and allowance on par with his junior in question, **if he is otherwise eligible in accordance with the rules existing**". Subject to the modification of the order of the Tribunal to the extent indicated above, this writ petition is disposed of".

**4.** In the reference 4<sup>th</sup> read above, Sri T.Vasudeva Reddy, D.S.P. (Retired) also submitted a representation to step up his pay on par with his junior Sri P.Janardhan Reddy, who retired as S.P. (NC) and also effect following consequential benefits:

1. Refixation of pension
2. Payment of proportionate commuted pension
3. Gratuity
4. Arrears of pay and allowances in respect of encashment of 237 days of S.L. F.P. as sanctioned by the Addl. D.G.P. (L&O), in L. Dis.No.1054/O5/1995, dated 22.10.1995.

**5.** In his letter 5<sup>th</sup> read above, the Director General of Police, A.P., Hyderabad, has stated that the case of Sri T.Vasudeva Reddy was considered by the Screening Committee during the preparation of panel of Inspectors of Police fit to act as D.Ss.P. for the years 1988, 1989 and 1990, but it **did not recommend** his name for promotion to the post of D.S.P. (Civil) as per the character roll placed before the Screening Committee. The details are mentioned below:

"He was trapped by the ACB and was placed under suspension w.e.f. 4.7.1984 to 6.11.1986. he was convicted in the ACB and SPE cases and was dismissed from service w.e.f., 7.11.1986 and he was out of employment from 7.11.1986 to 2.7.1988. He appealed in the Hon'ble High Court and was acquitted. He was reinstated into service vide G.O. Rt. No.792, Home (SC.A) Department, dated 23.4.1988 in view of Hon'ble High Court orders. However, the Government directed the Commissioner of Enquiries to conduct an enquiry in the said ACB case".

<u>ACR period</u>	<u>Gradation</u>
1. 1980	Unsatisfactory (Adverse remarks not communicated)
2. 1981	Satisfactory
3. 1982	Not available
4. 1983	Not available
5. 1984	Not available
6. 1989	<b>Unsatisfactory.</b>

"Record of service not satisfactory. Further, he is facing proceedings of the Commissioner of Enquiries on the allegations pertaining to the ACB trap case. Hence, unsuitable for promotion"

Finally, the case of Sri T.Vasudeva Reddy, was considered for promotion to the post of D.S.P. (Civil) vide G.O. Ms. No.617, Home Department dated 15.10.1991 and he reported to duty on 6.1.1992.

**6.** The Director General of Police, A.P., Hyderabad, has further informed that Sri T.Vasudeva Reddy's seniors and immediate junior Sri P.Srinivasa Murthy and other juniors were promoted as Deputy Superintendents of Police during the panel year 1988 on adhoc basis against the vacancies of direct recruit Deputy Superintendents of Police vide G.O. Rt. No.3420, Home dated 26.10.1989. Later, the seniority of Deputy Superintendents of Police who were promoted as Deputy Superintendents of Police (Civil) on adhoc basis from the panel year 1987 was revised by regularising their posts of Deputy Superintendents of Police against the substantive vacancies by the Government vide G.O. Ms. No.111, Home (Ser.I) Department, dated 31.5.2007 according to which the revised seniority of Sri T.Vasudeva Reddy's seniors and juniors, is mentioned below:

Sl. No.	Name of the Inspector promoted as D.S.P. during the year 1988	Actual date of promotion as D.S.P.	Revised date of seniority as D.S.P. in G.O. Ms.No.111, dated 31.5.2007
1.	V.D.Madhava Rao	30.8.1990	Retired not having regularization of his post of D.S.P.
2.	G.Laxman Rao	24.3.1990	17.6.1996
3.	R.Ekambaram	5.11.1989	17.6.1996
4.	K.A.Ramanujam	12.2.1990	17.6.1996
5.	M.A.Saleem	5.11.1989	17.6.1996
6.	S.Subbarayudu	13.11.1989	Retired not having regularization of his post of D.S.P.
7.	G.Rajagopala Chetty	Nov. 1989	<b>-do-</b>
8.	<b>T.Vasudeva Reddy (applicant)</b>	6.1.1992	Retired from service on 30.6.1995 before getting substantive vacancy with the date of promotion as D.S.P. w.e.f., 6.1.1992.
9.	P.Srinivasa Murthy	29.11.1989	17.6.1996
10.	B.Anjaiah	29.11.1989	17.6.1996

11.	P.Janardhan Reddy	29.11.1989	The Government regularized his services w.e.f., <b>29.9.1972</b> rendered as Inspector of Police on <b>out of seniority</b> basis in recognition of his outstanding performance in the organization of ACB vide G.O. Ms.no.360, Home dated 10.10.1996. With that date of regularization of seniority w.e.f, 29.9.1972 in the rank of Inspector of Police, he was assigned notional seniority in the rank of D.S.P. w.e.f., 16.6.1984 vide G.O. Ms.No. 411, Home dated 26.11.1996 and also in the ranks of Addl. S.P. and S.P. (NC).
12.	V.C.Venugopal	4.11.1989	17.6.1996
	T.K.Rama Murthy	9.11.1989	17.6.1996
13.	C.Parvatha Reddy	25.6.1990	All these D.Ss.P. retired from service without regularizing their post of D.Ss.P. against substantive vacancies. Hence, their names were not included in the seniority list of D.Ss.P. issued in G.O. Ms.No.111, dated 31.5.2007
14.	M.C.Narasappa	2.8.1991	
15.	P.M.Dayakar	11.11.1989	
16.	Md. Shameemuddin	23.3.1990	

**7.** As seen from the above table of Deputy Superintendents of Police posts, some of juniors of Sri T.Vasudeva Reddy were regularized and some of juniors were not regularized since they retired before getting substantive vacancies in the rank of Deputy Superintendents of Police. Similarly, Sri T.Vasudeva Reddy retired on 30.6.1995 before getting substantive vacancy and not having regularized his post of Deputy Superintendent of Police .

**8.** The Director General of Police, A.P., Hyderabad, has further reported that the case of Sri P.Janardhan Reddy was considered by the Screening Committee and recommended for promotion to the post of D.S.P. for the panel year 1988 and he reported for duty on 29.11.1989. However, the Government regularized his services w.e.f, **29.9.1972** rendered as Inspector of Police on **out of seniority basis** in recognition of his outstanding performance in the organization of ACB vide G.O.Ms. No.360, Home dated 10.10.1996, in view of the following clause has been prescribed for regularizing out of seniority service as in service vide Govt. Memo. No.25384/Pol.C/92-8, Home dated 15.5.1993:

“In deserving cases where the individual continuously display outstanding work assigned and if he happens to be promoted on out of seniority basis, such cases would be considered by Government for relaxation of rules individually”.

**9.** With that date of regularization of seniority w.e.f., 29.9.1972 in the rank of Inspector of Police, he was assigned notional seniority in the rank of D.S.P. w.e.f., 16.6.1984 vide G.O. Ms. No.411, Home dated 26.11.1996 and subsequently, he was assigned notional seniority in the rank of Addl. S.P. (NC) w.e.f., 9.2.1991 vide G.O. Ms. No.69, Home dated 25.3.1998 and also in the rank of S.P.(NC) w.e.f., 6.7.1997 vide G.O. Ms. No.1345, Home dated 2.6.1998, as he was in service up to 31.1.1999.

**10.** Hence, the Director General of Police, A.P., Hyderabad has informed that though Sri P.Janardhan Reddy was junior to Sri T.Vasudeva Reddy in the rank of S.I. of Police, he became his senior from the rank of Inspector of Police itself in view of regularization of services of Sri P.Janardhan Reddy, in the rank of Inspector of Police w.e.f, 29.9.1972 and all subsequent ranks. Service particulars of two officers are mentioned below:

	<b>T.Vasudeva Reddy</b>	<b>P.Janardhan Reddy</b>
Appointed as S.I.	1.3.1966	1.3.1966
promoted as Inspector	28.2.1980	28.2.1980

Date of Out of Seniority promotion as C.I. (CBI/ ACB service)	-----	<b>29.9.1972</b> (Govt. regularized this date of Inspector with all consequential benefits in view of his continuous outstanding performance vide G.O. Ms.No.360, Home dated 10.10.1996)
Actual promotion as D.S.P.	6.1.1992	<b>29.11.1989</b>
Notional promotion as D.S.P.	-----	<b>16.6.1984</b> Govt. assigned notional seniority vide G.O. Ms. No. 411, Home dated 26.11.1996
Notional promotion as Addl. S.P.	-----	<b>9.2.1991</b> Govt. assigned notional seniority vide G.O. Ms. No.69, Home dated 25.3.1998
Notional promotion as S.P. (NC)	-----	<b>6.7.1997</b> Govt. assigned notional seniority vide G.O. Ms. No.1345, Home dated 2.6.1998.
Retired from service	<b>30.6.1995</b>	<b>31.1.1999</b>

**11.** The Director General of Police, A.P., Hyderabad, has therefore, reported that the case of Sri T.Vasudeva Reddy is **completely different** from the case of Sri P.Janardhan Reddy and hence there is **no comparison** between them pertaining to pay scales etc.,

**12.** The Government have examined the matter and observed that Sri P.Janardhan Reddy though junior to Sri T.Vasudeva Reddy in the cadre of S.I., but he got O.S. promotion as Inspector of Police he got the said out of seniority service regularized with effect from 29.9.1972 vide G.o.Ms.No.360, Home Department dated 10.10.1996, in recognition of his outstanding performance from the date of out of seniority promotion. With the said regularization date of 29.9.1972 as Inspector of Police, Sri P.Janardhan Reddy, got further notional promotions in the cadres of Deputy Superintendent of Police (Civil), Addl. Superintendent of Police (NC) and Superintendent of Police (NC). Thus, he became senior for not only Sri P.Janardhan Reddy, but also on many other individuals in all the cadres. Sri T.Vasudeva Reddy, **not eligible** for stepping up of pay, since he did not get regular promotion or notional promotion on par with his junior in all the cadres. Hence, the **request** of Sri T.Vasudeva Reddy, is **not feasible for acceptance**.

**13.** Accordingly, the request of Sri T.Vasudeva Reddy, ACP (Retired), for stepping up of his pay on par with his junior Sri P.Janardhan Reddy, is hereby **rejected**.

**14.** This order issues with the approval of Finance Department vide their U.O. No.16396/325/FR-II/2011, dated 25.7.2011.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**P.GAUTAM KUMAR**  
**PRINCIPAL SECRETARY TO GOVERNMENT**

To  
Sri T.Vasudeva Reddy,  
ACP (Retired) **through**  
the Director General of Police, A.P., Hyderabad  
Copy to:-  
The Director General of Police, A.P., Hyderabad  
Finance (FR-II) Department  
SF/SC

//FORWARDED BY ORDER//

**SECTION OFFICER**